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High Peak Borough Council

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TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant Mr & Mrs P Burnett
37 Marple Road
Charlesworth
Glossop
SK13 5DA

Application no. HPK/2012/0052

Registered on 05/03/2012

Determined on 30/04/2012

Agent

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Proposed New Access / Dropped Kerb at 37 Marple Road Charlesworth

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. Before any other operations are commenced, revised details shall be submitted to the Local Planning Authority for written approval indicating

   (i) existing and proposed ground levels in section, including retaining walls

   The proposed works shall be completed and retained in accordance with the approved scheme prior to commencement of its use.

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Planning Applications Manager

3. Prior to the commencement of further works, a revised layout shall be submitted to and agreed in writing by the Local Planning Authority showing a revised parking and manouvring layout which facilitates parking and allows vehicles to enter and leave the front garden in forward gear. The revised layout shall be implemented as agreed and retained in perpetuity unless agreed otherwise in writing.

4. Not withstanding the approved plans, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include the number, species and location of proposed planting; means of enclosure; car parking layouts; hard surfacing materials; materials, appearance and finish of retaining walls.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings and no later than 12 months of that occupation or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the approved scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.

6. The access hereby given consent shall not be taken into use until 2m x 2m 45 degree pedestrian visibility splays have been provided on the north eastern side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater then 0.6m in height relitive to footway level.

7. There shall be no gates of other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.

8. The proposed access drive to Marple Road shall be no steeper than 1 in 14 for the first 5m from the nearside highway boundary and 1 in 10 thereafter.

9. The access shall be surfaced using a solid bound material within 5 m of the highway.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. To prevent harm to the visual amenities of the area as required by High Peak saved Local Plan policies GD 4, H11 and H14 (and Paragraphs 17, 56, 57, 58, 60, 61, 196, 197 of the National Planning Policy Framework) and safeguard the safe and efficiant functioning of the public highway as required by High Peak saved Local Plan policy TR5

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(and paragraphs 32,35,39,58,68 of the National Planning Policy Framework)

3. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 (and paragraphs 32,35,39,58,68 of the National Planning Policy Framework).

4. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008 Paragraphs 17, 56, 57, 58, 60, 61, 196, 197 of the National Planning Policy Framework.

5. In the interests of visual amenity, in accordance with Policy GD6 of the High Peak Saved Local Plan Policies 2008 (and Paragraphs 17, 56, 57, 58, 60, 61, 196, 197 of the National Planning Policy Framework).

6. To safeguard the safe and efficiant functioning of the public highway as required by High Peak saved Local Plan policy TR5 and paragraphs 32,35,39,58,68 of the National Planning Policy Framework

7. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 (and paragraphs 32,35,39,58,68 of the National Planning Policy Framework).

8. In the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 (and paragraphs 32,35,39,58,68 of the National Planning Policy Framework).

9. To ensure satisfactory service provision in the interests of highway safety, in accordance with Policy TR5 of the High Peak Saved Local Plan Policies 2008 and (paragraphs 32,35,39,58,68 of the National Planning Policy Framework).

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which subject to planning conditions does not harm the safe and efficient operation of the public highway or the visual amenities of its surroundings.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

BC1 - External Materials
GD4 - Character Form and Design

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Planning Applications Manager

GD5 - Amenity
H11 - Layout and Design of residential development
H14 - Domestic Extensions and ancillary buildings
TR5 - Access, parking and design

National Planning Policy Framework

Paragraphs 32,35,39,58,68

Notes to Applicant

1. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr C Allwood in the Environmental Services Department at County Hall, Matlock (tel: 01629 538582). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

2. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

3. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (eg; street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

4. Informative Note for Applicants/Agents for Developments within Coalfield Standing Advice Areas.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.

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Planning Applications Manager

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

Plans
The plans to which this Notice refers are listed below:
Location Plan
01
02

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

The permission is granted in strict accordance with the approved plans. It should be noted however that:
(a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

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Michael Green
Planning Applications Manager

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